

110-115  
FORM 11-2

11-9

(Rev. 4-8-91 Pub. 605)

**RECEIVED**  
**PATENT**  
**MAY 26 1993**  
**APPLICATION DIVISION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: McGill et al.

Serial No.: 08 / 023,091

Group No.:

Filed: February 26, 1993

Examiner:

For: Disk Operating System Back-up and Recovery System

**Commissioner of Patents and Trademarks****Washington, D.C. 20231****PETITION AND FEE FOR EXTENSION OF TIME (37 CFR 1.136(a))**

1. This is a petition for an extension of the time for a total period of one months to respond to the Office Letter mailed on March 25, 1993 for Notice to File Missing Parts

(Indicate matter being extended)

**NOTE:** "Extensions of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

**NOTE:** See 37 CFR 1.645 for extensions of time in interference proceedings and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Daphne Howe

Date: 5/6/93

(Type or print name of person mailing paper)

  
(Signature of person mailing paper)

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(Petition and Fee for Extension of Time (37 CFR 1.136(a) [11-2]—page 1 of 3)

2. A response in connection with the matter for which this extension is requested:

☒ is filed herewith.

☐ has been filed.

(complete the following if applicable)

NOTE: The PTO accepts the filing of a continuing application as a response under 37 CFR 1.136 and 1.137. To facilitate processing in such a case the petition for extension of time should specifically refer to the filing of a continuing application and also include an express abandonment of the prior application conditioned upon the granting of the petition and the granting of a filing date to the continuing application. Notice of May 13, 1983, 1031 O.G. 11-12.

☐ the response is the filing of a continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application.

3. Applicant is

☐ a small entity — verified statement:

☐ attached.

☐ already filed.

☒ other than a small entity.

4. Calculation of extension fee (37 CFR 1.17(a)—(d)):

Total months requested	Fee for other than small entity	Fee for small entity
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 350.00	\$ 175.00
<input type="checkbox"/> three months	\$ 810.00	\$ 405.00
<input type="checkbox"/> four months	\$ 1,280.00	\$ 640.00
Fee \$ 110.00		

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request

\$ \_\_\_\_\_

5. Fee Payment

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986; 1065 O.G. 31-33.

☒ Attached is a check in the sum of \$ 110.00

☒ Charge Account 20-0531 for any additional extension and/or fee required or credit for any excess fee paid.

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☐ Charge fee to Account No. \_\_\_\_\_ and this is a request to charge for any additional extension and/or fee required or credit for any excess fee paid. A duplicate of this petition is attached.

Reg. No.: 34,020

Tel. No.: (617 ) 248-7299

*Richard B. Smith*

SIGNATURE OF ATTORNEY

Richard B. Smith

Type or print name of attorney

Testa, Hurwitz & Thibault

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